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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/724,572	
	Filing Date	November 26, 2003	
	First Named Inventor	Kelvin P. Self	
	Art Unit	3672	
	Examiner Name	William P. Neuder	
Total Number of Pages in This Submission	3	Attorney Docket Number	2380-541

ENCLOSURES (Check all that apply)		
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Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Lawrence F. Grable, Esquire Tomlinson & O'Connell, P.C. 211 North Robinson, Suite 450 Oklahoma City, Oklahoma 73102
Signature	
Date	January 13, 2006

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☐ DESIGN ☒ UTILITY PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kelvin P. Self and Gerald A. Stangl  
Serial No: 10/724,572  
Filed: November 26, 2002  
For: SYSTEM AND METHOD FOR  
LOCATING AND TRACKING A  
BORING TOOL

Att'y Dkt. No.: 2380-541  
Art Unit: 3672  
Examiner: William P. Neuder  
Customer No.: 28839

Mail Stop Amendment  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO OFFICE ACTION**  
**MAILED OCTOBER 21, 2005**

**REMARKS**

The Examiner's Office action mailed October 10, 2005, has been reviewed. In response thereto, the Applicants submit this Response.

**Rejections Under 35 U.S.C. § 102(e)**

The Examiner rejected claims 1, 4, 5-11 and 35-37 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Application No. 2004/0188142 listing Self et al. as inventors (hereinafter "the Self Application"). Applicants respectfully request reconsideration of this rejection.

The Examiner cited the Self Application as prior art based upon its earlier effective U.S. filing date. The Self Application does not have an earlier effective filing date. The Self Application's effective U.S. filing date is March 31, 2003. The present application claims priority of U.S. Provisional Patent Application Serial No.: 60/429,097 filed November 26, 2002. Thus, the effective filing date of the present application is prior to the Self Application. Because the present application has a filing date prior to the Self Application, the Self